

C Sub D

20 (Amended). The composition [recombinant AAV] according to claim 19, wherein the promoter is selected from the group consisting of the cytomegalovirus immediate early promoter and the Rous sarcoma virus LTR promoter.

C Sub D

21 (Amended). A composition comprising a recombinant adeno-associated virus (AAV) [according to claim 16 and] is suspended in a biologically compatible carrier [solution],

wherein said recombinant AAV comprises (a) 5' AAV inverted terminal repeats (ITRs), (b) nucleic acid sequences encoding human apolipoprotein E (ApoE), and (c) 3' AAV ITRs.

Kindly add new claims 23 - 29 as follows.

F2

23. The composition according to claim 21, wherein the composition comprises 2.5×10^{10} to 5×10^{10} genomes of rAAV.

24. The composition according to claim 21, wherein the composition comprises 5×10^{10} to 5×10^{11} genomes of rAAV.

C²

25. The composition according to claim 21, wherein said rAAV is substantially free of contamination with a helper virus.

F2

26. A method of delivering apolipoprotein E (apoE) to a patient in need of treatment of atherosclerosis, said method comprising the step of administering a composition according to claim 21 to the patient, wherein the ApoE in said composition is expressed in the patient.

F3

27. The method according to claim 26, wherein the apoE is administered intramuscularly.